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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA
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9 PLATFORM 10, LLC, a Nevada Limited
10 Liability Company,

11 Plaintiff,

12 vs.

13 BATTLE MOUNTAIN BANK OF THE
14 TE-MOAK TRIBE OF WESTERN SHOSHONE
INDIANS OF NEVADA, Inclusive, et al.

15 Defendants.

Case No.: 3:20-CV-00238-RCJ-CLB

**ORDER REGARDING INTENT TO
DISMISS FOR WANT OF
PROSECUTION PURSUANT TO
LOCAL RULE 41-1**

16 On June 25, 2020, the Clerk of the Court entered Default (ECF No. 11) as to Defendant
17 Battle Mountain Band of the Te-Moak Tribe of Western Shoshone Indians of Nevada.

18 Fed. R. Civ. P. 55(b) Entering a Default Judgment

- 19 (2) *By the Court.* In all other cases, the party must apply to the court for a
20 default judgment. A default judgment may be entered against a minor or
21 incompetent person only if represented by a general guardian, conservator,
22 or other like fiduciary who has appeared. If the party against whom a
23 default judgment is sought has appeared personally or by a representative,
24 that party or its representative must be served with written notice of the
application at least 7 days before the hearing. The court may conduct
hearings or make referrals—preserving any federal statutory right to a jury
trial—when, to enter or effectuate judgment, it needs to . . .

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1 Local Rule 41-1 provides as follows:

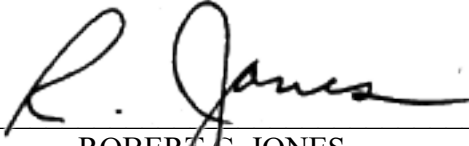
2 “All civil actions that have been pending in this court for more than 270 days without any
3 proceeding of record having been taken may, after notice, be dismissed for want to prosecution by
4 the court *sua sponte* or on the motion of an attorney or pro se party.”

5 Be advised the official record in this action reflects that this case has been pending for more
6 than 270 days without any proceeding having been taken during such period.

7 If no action is taken in this case by **April 14, 2021**, the Court shall enter an order of
8 dismissal for want of prosecution.

9 **IT IS SO ORDERED.**

10 Dated March 15, 2021.

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13 ROBERT C. JONES
14 United States District Judge
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